



## *Report to the Auburn City Council*

Agenda Item No. 11

City Manager's Approval

**To:** Mayor and City Council Members  
**From:** Valerie Harris, Chief of Police  
**Date:** November 22, 2010  
**Subject:** Consideration of an Ordinance Establishing Dog Vaccination Reporting Requirements by Veterinarians and Vaccination Clinics

### *The Issue*

Should the City Council adopt an Ordinance establishing dog vaccination reporting requirements by veterinarians and vaccination clinics?

### *Conclusions and Recommendation*

Staff recommends that the City Council take the following action:

Waive full reading, introduce and hold a first reading, by title only, of an Ordinance adding Sections 97.022 (C) through 97.022 (F) to the Auburn Municipal Code establishing dog vaccination reporting requirements (**Attachment 1**).

### *Project Description*

The State of California Health and Safety Code Section 121690 and the City's dog licensing ordinance require all owners of dogs over six months of age to have administered the anti-rabies vaccination and to provide documentation prior to issuance of a dog license. The rabies verification/licensing mandate helps to combat the possible spread of the rabies disease by infected domestic and/or wild animals.

The Placer County Director of Animal Control has requested all law enforcement agencies throughout the County enact ordinances mandating the reporting of anti-rabies vaccinations administered to canines within each respective jurisdiction to create greater awareness of this legal duty and to better identify animals which have not been vaccinated.

Placer County and the cities of Rocklin and Lincoln have adopted similar mandatory reporting ordinances following a request by the Placer County Director of Animal Control (**Attachment 2**). The cities of Roseville and Auburn are the last jurisdictions to adopt this ordinance.

The mandatory reporting would require all licensed veterinarians or approved veterinary clinics to report rabies vaccinations in the manner prescribed by the County of Placer Director of Animal Control Services.

This mandatory reporting process provides for verification of the anti-rabies vaccination administered to any dog residing within any jurisdiction in Placer County. The centralized reporting can assist all agencies with verification that any stray canine or other dog involved in a bite incident has been properly vaccinated. Additionally, this centralized reporting will enhance public safety tracking of canines residing within any Placer County jurisdiction, that have previously been determined to be "Potentially Dangerous" or "Dangerous" by another public safety agency.

**Background & Analysis**

Currently, records indicate 479 dogs are certified as anti-rabies vaccinated and licensed within the City of Auburn.

A commonly used method of determining the number of dogs within a jurisdiction provided by the American Veterinarian Medical Association (AVMA), states the City of Auburn total residency population when divided by 37% will give an accurate number of animals statistically residing in the City of Auburn.

Considering there are approximately 13,500 persons residing in the City of Auburn this equates to 4,995 dogs anticipated to reside in the City. Using the AVMA statistical data, an estimated 4,516 unlicensed dogs may currently reside within the City. Accordingly, a large percentage of dog owners have failed to comply with State law and local ordinances enacted thereto requiring vaccination and licensing of their dogs.

With vaccination reporting by veterinarians, a significant number of additional dogs are expected to be licensed in the City of Auburn.

Pets that have not been properly licensed with the City of Auburn can result in costly negative consequences for pet owners and City employees alike. Pets may be injured while roaming the streets and not receive all of the necessary medical care. City staff is negatively impacted when records cannot be found to assist in prompt reunification of an animal with its rightful owner. Delays are time consuming and costly as pet owners are billed for to care for and house their pets at the animal shelter. Finally, should a dog bite occur and officials are unable to verify current anti-rabies vaccination for the offending dog, the bite victim may have to undergo the painful rabies shot treatment when in fact the dog may be currently vaccinated. Many of the negative impacts previously described can be overcome by efforts of County and City staff to educate area veterinarians on the proposed reporting ordinance. Education and outreach through local media, area veterinarian offices, animal registry groups and others will help to gain greater compliance by pet owners with anti-rabies vaccination and licensing requirements.

**Alternatives Available to Council; Implications of Alternatives**

- A. Waive full reading and introduce and hold first reading of the Ordinance adding Sections 97.022 (C) through 97.022 (F) to the Auburn Municipal Code establishing dog vaccination reporting requirements; or,
- B. Waive full reading and introduce and hold first reading of the Ordinance adding Sections 97.022 (C) through 97.022 (F) to the Auburn Municipal Code establishing dog vaccination reporting requirements, as amended by the City Council; or,
- C. Provide further direction to staff.

**Fiscal Impacts**

Potential revenue from licensing compliance, as statistically estimated by the AMVA, indicates the current dog population within the City is 4,995. Given the lowest possible revenue amount from licensing of this total number of dogs, assumes all animals are altered and will be charged an annual licensing fee of \$6.00 per dog. The total minimum annual revenue from dog licensing is estimated to be \$29,970 if 100% compliance could be achieved. These revenues will, of course, be offset by additional staff time and other services required to process licenses and to enforce the ordinance. No net fiscal impact on the City is expected, as fees are intended to recover costs.

**Additional Information**

Please see the following Attachments for more details

**ATTACHMENTS –**

1. Draft Ordinance adding Sections 97.022 (C) through 97.022 (F) Establishing Dog Vaccination Reporting Requirements
2. Vaccination Reporting Requirements from County of Placer, Rocklin and Lincoln Municipal Codes



# ATTACHMENTS

ORDINANCE NO. 10-\_\_\_\_

AN ORDINANCE OF THE CITY OF AUBURN AMENDING  
SECTION 97.022 OF THE AUBURN MUNICIPAL CODE ESTABLISHING DOG  
VACCINATION REPORTING REQUIREMENTS

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THE CITY COUNCIL OF THE CITY OF AUBURN DOES ORDAIN AS FOLLOWS

Section One: The City Council of the City of Auburn hereby finds:

(A) A high percentage of unlicensed dogs reside in the City of Auburn. In order to effectively administer the rabies vaccination requirements of Section 121690 of the Health and Safety Code and local ordinances enacted pursuant thereto, the City Council has adopted this Ordinance.

(B) It is the City Council's intention that nothing in this Ordinance shall conflict with preemptive state or federal law and this ordinance shall be interpreted in light of that intent.

(C) To protect the public health, safety and welfare, it is the desire of the City Council to amend the City of Auburn Municipal Code by amending Section 97.022 to add new subsections (C) through (F) establishing dog vaccination reporting requirements as those sections are set forth below.

Section Two: Section 97.022 of Chapter 97, entitled Animals, of the Auburn Municipal Code is hereby amended to read as set forth in **Exhibit A** attached hereto.

Section Three: This Ordinance shall take effect thirty days following its adoption as provided by Government Code Section 36937.

1       Section Four: Should any provision, section, paragraph, sentence or word  
2 of this Ordinance be rendered or declared invalid by any court of competent  
3 jurisdiction or by reason of any preemptive legislation, the remaining  
4 provisions, sections, paragraphs, sentences or words of this Ordinance shall  
5 remain in full force and effect.

6  
7       Section Five: To the extent the provisions of the Auburn Municipal Code  
8 as adopted by this Ordinance are substantially the same as the provisions of  
9 that Code in effect prior to the adoption of this ordinance, those provisions  
10 shall be construed as continuations of the earlier provisions and not as new  
11 enactments.

12  
13       Section Six: The City Clerk shall certify to the passage and adoption of  
14 this Ordinance and shall give notice of its adoption as required by law.

15 DATED: December 13, 2010

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17 \_\_\_\_\_  
18 William W. Kirby, M.D., Mayor

19 ATTEST:

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21 \_\_\_\_\_  
22 Joseph G. R. Labrie, City Clerk

23       I, Joseph G. R. Labrie, City Clerk of the City of Auburn, hereby certify  
24 that the foregoing ordinance was duly passed at a regular meeting of the City  
25 Council of the City of Auburn held on the 13<sup>th</sup> day of December 2010 by the  
26 following vote on roll call:

27       Ayes:

28       Noes:

      Absent:

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Joseph G. R. Labrie, City Clerk

# **EXHIBIT A**

## **§ 97.022 LICENSES; RABIES REPORTING.**

(A) An Animal Control Officer shall procure and issue numbered license tags stamped with the name of the city. The tags shall only be issued upon the application of owners who have complied with the vaccination and fee provisions of this chapter and the license tag will be permanently issued for each dog and shall remain with that dog.

(B) Upon the payment of the fees established by City Council resolution, the dog licenses required by this chapter shall be issued for a fixed period commencing upon the date of the application and upon the showing of a valid certificate of rabies vaccination.

(C) The owner of every dog over six months of age kept or maintained in the city shall have that dog vaccinated for rabies as often as required by Health & Safety Code section 121690. Such vaccination shall be administered by a veterinarian or a vaccination clinic operated pursuant to Health & Safety Code section 121690(f).

(D) Every person of an unvaccinated dog shall comply with the provisions of this section within the sooner of 10 days of the effective date of this ordinance or the date that person becomes an owner of an unvaccinated dog.

(E) Notwithstanding any other provision of this section, however, no dog need be vaccinated for rabies if all of the following are true:

1. A licensed veterinarian has examined the dog and certified that a vaccination would endanger the dog's health; and,

2. The certificate is presented to the health officer within 5 days of the examination; and,

3. The health officer concurs in the opinion of the veterinarian, contained in such certificate, and endorses his or her approval on the certificate. Such certificate must bear the date of issuance and must be renewed within twelve months of that date and annually thereafter.

(F) Every veterinarian or clinic, after vaccinating a dog for rabies, shall issue a certificate of that fact and furnish one copy of the certificate to the owner of the dog and one copy to the Placer County Director of Animal Control or another person designated by the Department within five (5) days of vaccination. The certificate shall be in the form prescribed by the Placer County Director of Animal Control or the Department.

## PLACER COUNTY ORDINANCE:

### **6.16.040 Vaccination.**

- A. Every dog over four months of age shall have a medically current vaccination with a canine anti-rabies vaccine approved by the health department of the state of California. Such vaccination shall be administered by a veterinarian or as provided through county recognized vaccination clinics.
- B. Every person who owns or comes to own an unvaccinated dog shall have ten (10) days in which to comply with the provisions of this section.
- C. Notwithstanding any provisions to the contrary herein, no dog need be vaccinated for rabies where:
1. A licensed veterinarian has examined said dog and certified at such time that a vaccination would endanger the dog's health because of physiological reasons; and
  2. Such certificate is presented to the health officer within five days of such examination; and
  3. The health officer concurs in the opinion of the veterinarian, contained in such certificate, and endorses on such certificate his approval thereof. Such certificate must bear the date of issuance and must be renewed each year.
- D. Every veterinarian, after vaccinating a dog for rabies, shall issue a certificate and furnish one copy of the certificate to the owner of the dog and one copy to the director of animal control. The certificate shall be in the form prescribed by the director of animal control. (Prior code § 3.104)**

## ROCKLIN MUNICIPAL CODE:

### **6.24.010 Vaccination required.**

- A. Every dog over four months of age shall have a current vaccination with a canine antirabies vaccine approved by the Health Department of the state. Such vaccination shall be administered by a veterinarian or as provided through county-recognized vaccination clinics.
- B. Every person who owns or comes to own an unvaccinated dog over four months of age shall have ten days in which to comply with the provisions of this section.
- C. Notwithstanding any provisions to the contrary in this chapter, no dog need be vaccinated for rabies where:

1. A licensed veterinarian has examined the dog and certified at such time that a vaccination would endanger the dog's health because of physiological reasons; and
  2. Such certificate is presented to the health officer within five days of such examination; and
  3. The health officer concurs in the opinion of the veterinarian, contained in such certificate, and endorses on such certificate his approval thereof. Such certificate must bear the date of issuance and must be renewed each year.
- D. Every veterinarian, after vaccinating a dog for rabies, shall issue a certificate and furnish one copy of the certificate to the owner of the dog and one copy to the **animal control officer**. The certificate shall be in the form prescribed by the animal control officer.  
(Ord. 483 § 3.7, 1982).

## **Loomis Municipal Code:**

### **4.04.280 Vaccination.**

- A. Every dog over four months of age shall have a medically current vaccination with a canine anti-rabies vaccine approved by the health department of the state of California. Such vaccination shall be administered by a veterinarian or as provided through county recognized vaccination clinics.
- B. Every person who owns or comes to own an unvaccinated dog shall have ten days in which to comply with the provisions of this section.
- C. Notwithstanding any provisions to the contrary herein, no dog need be vaccinated for rabies where:
1. A licensed veterinarian has examined said dog and certified at such time that a vaccination would endanger the dog's health because of physiological reasons; and
  2. Such certificate is presented to the health officer within five days of such examination; and
  3. The health officer concurs in the opinion of the veterinarian, contained in such certificate, and endorses on such certificate his approval thereof. Such certificate must bear the date of issuance and must be renewed each year.
- D. Every veterinarian, after vaccinating a dog for rabies, shall issue a certificate and furnish one copy of the certificate to the owner of the dog and one copy to the director of animal control. The certificate shall be in the form prescribed by the director of animal control. (Ord. 207 § 17, 2003; County code § 3.104)

Lincoln Municipal Code:

6.12.100 Vaccination--Certificate. Every veterinarian, after vaccinating a dog for rabies, shall issue a certificate and furnish one copy of the certificate to the owner of the dog and one copy to the chief of animal control. The certificate shall be in the form prescribed by the chief of animal control. (Ord. 804B § 2(part), 2006)